IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 880 OF 2006

Manoj Ambadas Tiwari ...Applicant.

V/s

State of Maharashtra ...Respondent.

Mr. V.V. Gangurde for the applicant.
Mr. R.Y. Mirza, APP for the State.

CORAM: V.M. KANADE, J.
DATE: 14th March 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R. No. 03 of 2005 registered with the Igatpuri Railway Police Station for the offence punishable under section 302 of the Indian Penal Code.

3. It is alleged that the applicant and three others had poured kerosene on the person of the deceased and set him ablaze. The other three accused have been released on bail since they were juveniles. The eye witnesses who have seen the incident have stated that the person who was wearing red T-shirt and black pants had poured kerosene on the deceased. The deceased has given a dying declaration that four persons were responsible for setting him on fire and they had

demanded Rs 100 for staying on the platform and when he had refused to pay the said amount, the accused had committed the said act. When the applicant was arrested, he was seen wearing read T-shirt and black pants. There is also recovery of matchstick made at the instance of the applicant. Apart from that, the applicant does not have a fixed place of residence.

4. In my view, therefore, this is not a fit case for grant of bail. The charge-sheet has been filed. The applicant is in jail since 18/2/2005. Considering the facts and circumstances of the case, in my view, the ends of justice will be met if the hearing of the trial is expedited. Accordingly, the hearing of the trial is expedited. The Sessions Court to decide the case as expeditiously as possible. If the case is not over within a period of six months, liberty is granted to the applicant to apply for bail again in this Court.

5. Application is accordingly disposed of.

6. Registry is directed to send a copy of this order to the Sessions Court Nashik.

V.M. KANADE, J.